



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

IN THE MATTER OF
ROBERT J. HUTCHINSON
License No. 12138

Administrative Action
FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent has been a licensed electrical contractor from May 5, 1993 until March 31, 2000.
2. The Board wrote to respondent on August 17, 1998; September 24, 1998; December 7, 1998; and December 22, 1998 with regard to a complaint received from the Borough of Carteret alleging respondent's failure to request a final inspection of work performed at 113 Whitman Street, Carteret, New Jersey. Although these letters requested that respondent either provide for a final inspection and furnish the Board with a copy, or reply to the Board with an explanation, no reply was received by the Board to any of these four letters.
3. Respondent was subpoenaed to appear before the Board for an inquiry on February 16, 2000.
4. After respondent's appearance, he signed a settlement agreement on March 26, 2000, whereby he agreed to pay a \$500 penalty for failure to cooperate; agreed to pay \$137.63 in costs; acknowledged his failure to cooperate; and agreed to obtain inspection for the work performed at 113 Whitman Street, Carteret and to forward a copy of the final inspection certificate to the Board.

5. Respondent paid the penalty and costs of \$637.63 on March 23, 2000.

6. Respondent was sent letters dated May 1, 2000; May 22, 2000; and June 1, 2000; asking that respondent forward the final inspection to the Board, pursuant to the settlement offer he had agreed to.

7. No response was received by the Board to these letters.

CONCLUSIONS OF LAW

1. Respondent's failure to obtain final inspection and forward it to the Board, or to reply to the Board's letters of May 2, 2000, May 22, 2000 and June 1, 2000, constitute a failure to cooperate pursuant to N.J.A.C. 13:45C-1.2 and 13:45C-1.3, and a failure to comply with an order of the Board pursuant to N.J.A.C. 13:45C-1.4. This constitutes professional and occupational misconduct pursuant to N.J.S.A. 45:1-21(e), and failure to comply with provisions of an act or regulation administered by the Board pursuant to N.J.S.A. 45:1-21(h).

2. Respondent is consequently subject to penalties pursuant to N.J.S.A. 45:1-22.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline assessing respondent a penalty of \$2,500.00 was entered on August 2, 2000 and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail was returned as unclaimed, the regular mail was not returned. Because the Order was forwarded to respondent's address of

record, the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 6th day of Dec., 2000,

ORDERED that:

1. Respondent is hereby assessed a civil penalty of \$2500.00.

NEW JERSEY STATE BOARD OF
EXAMINERS OF ELECTRICAL CONTRACTORS

By:



Joseph P. Schooley
Board Chairman